COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DEPUTY INVOLVED HIT SHOOTING
INVESTIGATIVE SUMMARY

UNIT: Headquarters Narcotics Bureau
DATE: March 8, 2012, 1530 Hours, Thursday
LOCATION: 215th Street/Elaine Avenue, Hawaiian Gardens, CA 90716
URN#: 011-04495-1735-013
IAB#: SH2308622

SYNOPSIS:

On March 8, 2012, Los Angeles County Sheriff's Department Detectives David Faria and Rudy Contreras were working as part of the California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET) when they were involved in a hit shooting.

> **IAB Note: CAL-MMET is a drug task force comprised of officers from federal, state, and county agencies. The task force's mission on this date was to provide assistance by conducting surveillance during a narcotic transaction.**

INVESTIGATION:

This shooting incident was investigated by LASD Homicide and documented in the Homicide Investigation Book **(Exhibit A)**. The task force met in Long Beach. Detective Faria conducted briefing and advised his team that a narcotics deal involving a large amount of methamphetamine was going to occur on that date. The team would be advised where and when to respond to follow the recipient of the narcotics.

While the team waited, they were advised the deal was going to take place in a parking lot in the Hawaiian Gardens area. The team responded to the location to set up their surveillance. The team was subsequently advised the transaction had already occurred prior to their arrival and two suspects were seen driving away in a black Lexus.

Members of the team immediately located the black Lexus and began a surveillance of the vehicle. The plan was to follow the suspect vehicle to identify the suspects and to see where they were going. The Lexus began driving through the residential

neighborhood and appeared to be trying to determine if they were being followed. The Lexus made abrupt turns, U-turns, and would stare at drivers of vehicles in an attempt to get a reaction. During the surveillance, the Lexus began following some of the surveillance vehicles. The Lexus would drive closely behind a surveillance vehicle in an attempt to make the occupants react. The counter surveillance went on for approximately ten minutes.

The suspects began following the undercover van driven by La Verne Police Department Officer [redacted]. Officer [redacted] advised his team he was being followed closely by the suspects. Detective Faria told the units they were going to terminate the surveillance and return to the target location to see if the suspects returned.

Detective Faria instructed Officer [redacted] to turn east on 215th Street in hopes the suspect vehicle would continue past Officer [redacted] He turned east on 215th Street from Pioneer Boulevard, however, the suspects continued to follow closely behind him. Faria believed they had been identified as police by the suspects and told the units to conduct a stop of the vehicle.

Officer [redacted] was instructed to stop his vehicle at the next available stop sign on 215th Street east of Pioneer Boulevard, which he did. The suspect vehicle stopped directly behind Officer [redacted] and Detectives Faria and Contreras stopped their vehicles directly behind the suspects'. Faria and Contreras exited their vehicles and began walking north, staying clear of the Lexus and a possible crossfire with Officer [redacted]

Officer [redacted] exited his vehicle and approached the suspect vehicle. As he did so, the Lexus lurched forward toward him. [redacted] in fear of his life, believing the suspects were trying to run him over, fired his weapon at the suspects. The driver's side front and rear windows shattered as a result. Since the Lexus windows were tinted, [redacted] did not know if he had shot either suspect. The Lexus missed [redacted] and drove around his vehicle, fleeing at a high rate of speed east on 215th Street. Detectives Faria and Contreras each got back into their own vehicle and followed the suspects who had turned north on Elaine Avenue which dead ends into a cul-de-sac. At the cul-de-sac, the suspects turned into the north parking lot of Freddie Middle School.

> **IAB Note: Three expended casings were located in the area where Officer [redacted] stated his shooting occurred, Refer to Exhibit E.**

Detective Contreras saw the Lexus driving west in the parking lot and decided to turn into the south driveway in an attempt to cut the distance between himself and the fleeing vehicle. As Contreras drove into the parking lot, he saw the Lexus driving south in the parking lot toward him very fast. Taking into account the counter surveillance

moves made by the suspects, their attempt at running over Officer [redacted] and knowing a shooting occurred but not knowing who had shot, Contreras believed the suspects were going to ram him. As he swerved away from the approaching Lexus, which created a distance of three feet, he fired one round from his duty weapon at the suspects through his open driver's window in an attempt to stop the suspects' violent and reckless behavior before they killed someone. The shot did not appear to affect the suspects as they continued past Contreras and toward Faria.

IAB Note: One expended casing was located in the parking lot area where Detective Contreras stated his shooting occurred, Refer to Exhibit F.

Detective Faria had stopped his vehicle and got out at the south end of the parking lot believing the suspects may abandon their vehicle and necessitate him having to set up a containment. As he was standing by the driver's side of his vehicle, he saw the Lexus speeding toward him at approximately 50 mph. Having heard a gunshot, but not seeing Detective Contreras at that point, he believed the suspects were shooting at him in an attempt to get away. Believing the Lexus was going to ram him, he fired one round at the driver in an attempt to stop him from crashing into him. The shot appeared to strike the front windshield. The Lexus came within a few feet of Faria as it veered away and exited the parking lot.

IAB Note: One expended casing was located in the parking lot area where Detective Faria stated his shooting occurred, Refer to Exhibit G.

As the Lexus turned south on Horst Street, it collided with a Lakewood patrol unit that was driving north on Horst. The Lexus struck the Lakewood patrol vehicle on the driver's side and continued south. The Lexus attempted to go east on 216th Street but collided into an unoccupied parked vehicle on the south curb. Both suspects were subsequently detained and arrested. Both suspects were found to have gunshot wounds to their upper torsos.

<u>INVOLVED PERSONNEL</u>:
Faria, David, Detective, #[redacted]
Narcotics Bureau, Detective Division

<u>EMPLOYEE WORK HISTORY</u>:
Date of Employment: 10/85
Date assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]

<u>INVOLVED PERSONNEL</u>:
Contreras, Rudy, Detective, #[redacted]
Narcotics Bureau, Detective Division

EMPLOYEE WORK HISTORY:
Date of Employment: 01/76
Date assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]

SUSPECT:
ORTIZ, Jose, MH/06-28-87
[redacted],
[redacted]

The suspect's criminal history [redacted]. **Refer to Exhibit A, Homicide Book, pages 207- 228 for Suspect Ortiz' Criminal History.**

SUSPECT:
CORADO, Armando, F., MH/08-27-89
[redacted]

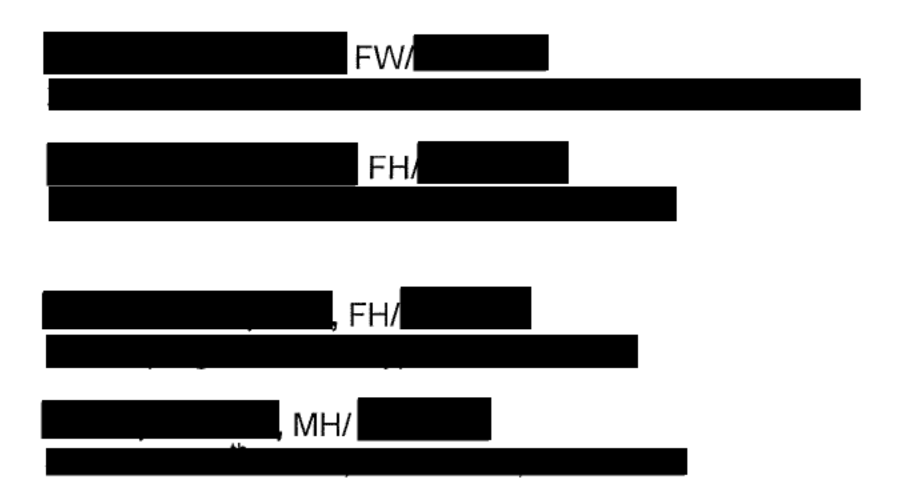
The suspect does not have a prior criminal history. **Refer to Exhibit A, Homicide Book, pages 229- 232 for Suspect Corado's History.**

INVOLVED DEPUTY WITNESS:
None

NON-DEPARTMENT WITNESSES:
[redacted] Special Agent #[redacted]
Drug Enforcement Administration

CIVILIAN WITNESSES:
[redacted] MH/[redacted]
[redacted] MH/[redacted]
[redacted], MH/[redacted]
[redacted] MH/[redacted]
[redacted]

[redacted], FH/[redacted]
[redacted]


[redacted] FW/[redacted]
[redacted]

[redacted] FH/[redacted]
[redacted]

[redacted], FH/[redacted]
[redacted]

[redacted], MH/[redacted]
[redacted]

INJURIES:
Suspect Ortiz, driver, sustained two gunshot wounds. One wound was a through and through wound to the neck. The second was a wound to his right elbow with bullet fragments in his biceps and forearm. **Refer to Exhibit A, Homicide Book, pages 44-45.**

Suspect Flores, passenger, sustained one gunshot wound to his left mid torso. **Refer to Exhibit A, Homicide Book, pages 45- 46.**

No deputy personnel were injured.

INVESTIGATOR'S OBSERVATIONS:
There were three different locations that were cordoned off as crime scenes.

Location One: This is the area where 215th Street intersects with Elaine Avenue. The middle school is directly north and appeared to be empty except for faculty cars that were part of the crime scene. Three casings were found on 215th Street directly in front of the school.

Location Two: An open parking lot located north of the middle school and west of Elaine Avenue. There were not many vehicles in the parking lot when we did our walk through. One casing was recovered on the west sidewalk near the south driveway leading into the parking lot. A second casing was located just northwest of the other round. **Refer to Exhibits F and G**.

Location Three: Termination of the pursuit on 215th Street, east of Horst Avenue.

EVIDENCE:
All evidence was located and identified by Homicide investigators. For more information, see the crime lab report found on page 81 of the Homicide book **(Exhibit A)**.

LIGHTING AND WEATHER CONDITIONS:
The incident occurred during afternoon hours. The weather was sunny and clear.

WEAPON USED BY SUSPECT:
2002 Lexus ES300, Black, CA License [redacted] **Refer to Exhibit A, Homicide Book, pages 74-76.**

WEAPONS USED BY DEPUTY PERSONNEL:
Detective David Faria
Service Weapon- Personally owned and department approved Heckler and Koch USP, .45 mm caliber, (Serial #[redacted]), Semi-Automatic Pistol.
Type of Ammunition- Department approved .45 mm Winchester.
Qualification: [redacted]

Detective Rudy Contreras
Service Weapon- Department issued Beretta 92F, .9mm caliber, (Serial #BER [redacted]Z)
Type of Ammunition- Department issued .9 mm Luger
Qualification: [redacted]

Both weapons were examined, test fired, and found to be functional by Firearms Examiner James Carroll #[redacted] from the Los Angeles County Sheriff's Department-Scientific Services Bureau, Firearms Identification Section. **Lab Receipt Number: K387049. Refer to Exhibit A, Homicide Book, Pages 75-79.**

INVOLVED DEPUTY STATEMENTS:

Detective David Faria, #[redacted] was interviewed by Homicide Investigators on March 8, 2012. A summary of his interview may be found on pages 10-13 of the Homicide Investigation book, **Exhibit A.** Internal Affairs Bureau interviewed Detective Faria and the following is a summary of that interview. Additional information and precise wording may be obtained by reviewing Detective Faria's attached verbatim interview transcription.

Detective Faria said his team received information which led them to a location in the City of Long Beach. Once at the location in Long Beach, Faria said they received additional information which caused their team to move to a secondary location.

Faria said the objective was to identify the house where a large load of methamphetamine was to be delivered and to identify the vehicle used to deliver the methamphetamine. He added a brief surveillance was established on the location by positioning one team member as the "eye" who had a visual of the house. The remainder of the team was setup at different positions close to the target residence.

Detective Faria said the "eye" saw a black vehicle (Lexus) back into the driveway of the targeted location; a description of the vehicle was broadcast via radio. At some point during the surveillance, two males were seen exiting the target house and entering the Lexus. Faria instructed the "eye" to continue visual surveillance of the target house and for the remainder of the team to begin mobile surveillance of the Lexus.

Detective Faria broadcast the suspect's movements via radio to his team. Faria said Officer [redacted] broadcast that the Lexus was now following him. Faria said it is common for suspects involved in drug activity to Aclean themselves,@ which he further described as counter surveillance. In his opinion, the driver of the Lexus was Acleaning himself.@ Faria said the actions of the Lexus made him think the driver was trying to set something up to hurt Officer [redacted] at which point he instructed Officer [redacted] to pull off the street and let the Lexus go past him. Faria said he had recently been briefed on a situation where a suspect called a second car to follow the undercover vehicle. Faria added he was worried when the driver of the Lexus continued to follow Officer [redacted] after Officer [redacted] had pulled off.

At this point, Detective Faria decided to conduct a traffic stop of the Lexus and relayed this information to the other team members. Faria saw Officer [redacted] stop at a crosswalk on 215th Street before reaching Elaine Avenue. The suspects stopped directly behind Officer [redacted] Faria stopped his vehicle directly behind the suspects and activated his forward facing red and blue lights. Faria got out of his vehicle and began yelling orders to the driver of the Lexus. He recalled seeing Officer [redacted] get out of his car, which was positioned in front of the Lexus.

Detective Faria recalled yelling "Sheriff" at the time of the traffic stop and seeing Officer [redacted] approach the Lexus yelling commands. Faria saw the suspects' car lurch forward toward Officer [redacted] attempting to pin him up against his car. Officer [redacted] jumped sideways away from the Lexus and fired his handgun at the suspects. Faria heard three gunshots and saw the windows of the Lexus shatter. The Lexus continued driving around the passenger side of Officer [redacted] vehicle at a high rate of speed. Detective Faria recalled all undercover vehicles began to pursue the Lexus, however, he could not recall who was the lead car in the pursuit. The units were on a designated frequency and not on regular dispatch. Faria was advising his units on their designated frequency when he saw the Lexus turn into the north driveway of Middle school parking lot on Elaine Avenue. He saw the Lexus drive towards him at approximately 50 miles per hour as he took a position at the parking lot's south driveway.

Detective Faria said the driver's actions made him think the driver of the Lexus was armed and he was worried about being rammed or the suspect ramming other team members behind him. He further added he was not sure if the occupants of the Lexus shot at Officer [redacted] at the initial traffic stop.

Detective Faria heard a gunshot as the Lexus drove toward him, although he did not know where it came from. He thought the suspects were going to ram him and pin him between his car and the fence, which was behind him. He fired one shot at the suspects to prevent them from ramming him. Faria said when he fired his weapon, he was standing outside of his vehicle at the driver's side door. He believed the suspects' vehicle was near the front portion of his vehicle when he shot. The Lexus veered away from Faria's car narrowly avoiding a collision.

> **IAB Note: Detective Faria was given several photographs depicting the parking lot. He illustrated where he stopped his car and positioned himself when the suspect vehicle drove toward him (Exhibit B).**

Detective Faria said the Lexus continued driving out of the parking lot towards Elaine Avenue. Faria entered his vehicle to follow the suspects but was uncertain which direction they fled. He then heard over the radio that the suspects were being detained at Horst Avenue and 215th Street. When he arrived at that location, he saw that both suspects had been shot, and requested paramedics via his handheld radio. Faria also broadcast they were involved in a Deputy Involved Shooting.

Detective Faria said his team has trained in the style of take downs they implemented in the mobile surveillance. In the past, they have used them during surveillance situations successfully. He further added that during these take downs, there is a lead undercover vehicle used in front of a suspect vehicle and the objective is to use that undercover vehicle to contain the suspect vehicle while other units were placed behind the suspect. In this instance, the take down did not work.

Detective Rudy Contreras, #[redacted] was interviewed by Homicide Investigators on March 8, 2012. A summary of his interview may be found on pages 13-16 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs Bureau interviewed Detective Contreras and the following is a summary of that interview. Additional information and precise wording may be obtained by reviewing Detective Contreras' attached verbatim interview transcription.

Detective Contreras was assigned to a multi-agency task force along with Detective Faria on the date of this incident. Contreras said information was received that a courier was to hand deliver narcotics to a distributor. Contreras said his team set up on a specific residence having established an eye on the location of Norwalk Boulevard, north of Carson Street.

Detective Contreras said that the point man or "eye" observed a black vehicle leave the suspected location driving east. The occupants, two males in their mid-20s, fit the profile of the individuals they were looking for. The team was directed by Detective Faria to conduct a mobile surveillance of the Lexus as it left the location.

Detective Contreras saw the suspects drive in such a way he believed the Lexus was "cleaning itself," which he described as counter surveillance driving. Contreras broadcast this information to the other units as the Lexus continued to drive north in the residential area. Contreras believed, at this point, the suspects were conducting counter surveillance and that their team had been compromised because the Lexus bumper locked, following very close, one of the undercover units.

Detective Contreras said they had been briefed approximately two months prior by a federal task force that suspects are trying to pick up surveillance (police or otherwise) by engaging them long enough to have someone take out the tail. Contreras believed the behavior of the suspect vehicle was similar to what was described in the briefing, and that Officer [redacted] had been identified as a cop.

> **IAB Note: "Take out the tail" means having someone from the organization follow the suspected vehicle and violently engage the occupants to allow the lead narcotic vehicle to escape.**

Detective Contreras said Detective Faria directed Officer [redacted] to turn off and let the Lexus drive past. However, when Officer [redacted] turned, the Lexus followed immediately behind him, at which time the decision was made to conduct a stop of the vehicle. Contreras said that when Officer [redacted] stopped at a crosswalk, Detective Faria stopped immediately behind the Lexus, and he flared off to the left with the red and blue lights activated on his undercover vehicle along with the siren.

Detective Contreras saw Officer [redacted] get out of his vehicle and approach the suspects with his gun drawn and his badge hanging around his neck. He said commands were given by Officer [redacted] and Detective Faria, "Police, Sheriff's Department. Let me see your hands." As he walked toward the suspects' vehicle, Contreras saw it reverse and then turn toward Officer [redacted] The suspects accelerated forward and Officer [redacted] jumped back toward his own vehicle to avoid being hit. When the suspects continued driving toward Officer [redacted] [redacted] fired approximately two to three rounds at them, shattering the driver's side window.

Detective Contreras activated his siren with his lights still flashing and was now the lead car in the pursuit. He pursued the suspect vehicle east on 215th Street then made a left hand turn following the vehicle north onto Elaine Avenue. At the end of Elaine Avenue, the suspect vehicle turned left into the north driveway parking lot of Freddie Middle School, while he turned left into the south driveway. As he drove into the parking lot, he realized the suspect vehicle had now turned left driving directly towards him, and was not slowing down. Contreras said the suspects had no regard for anyone and believed they were going to ram him.

Detective Contreras swerved to the right to avoid a head on collision and fired one round out of the driver's window to stop the suspects from ramming him. Contreras

believed that had he not swerved, the suspect's vehicle would have struck him. Contreras used his left hand to shoot while he steered with his right hand. He only fired one shot because the Lexus was moving so fast. After the first shot, the suspects drove past him and the threat was over.

> **IAB Note: Detective Contreras was given several photographs depicting the parking lot. He illustrated where he drove his car as he swerved to avoid being hit by the suspect's vehicle (Exhibit C).**

Detective Contreras exited the parking lot and drove east on 214th Street in an attempt to catch up to the suspect vehicle. At 214th Street and Horst Avenue, he saw a patrol car that had been in a traffic collision.

> **IAB Note: A Lakewood patrol vehicle had heard the earlier gunfire and was trying to ascertain where the shots had come from when they were struck by the fleeing Lexus as it drove past them.**

Detective Contreras lost sight of the suspect vehicle but was advised via radio by Officer [redacted] that the suspects were being detained on 216th Street, west of Horst Avenue. When he arrived at that location, he saw that the suspect's had collided into a white pickup truck. Both suspects were lying prone on the street and being held at gun point by other undercover officers. He saw that both suspects had been shot.

Officer [redacted], LaVerne Police Department, was interviewed by Homicide Investigators on March 8, 2012. The complete transcription of his interview may be found on pages 90-123 of the Homicide Investigation Book, **Exhibit A.** Internal Affairs Bureau investigators contacted Officer [redacted] for an interview, however, at the time of this writing, they were unable to secure a date for the interview due to the unavailability of his attorney.

The following is a summary of Officer [redacted] interview with Homicide investigators, beginning when [redacted] followed the suspects north on Elaine Avenue:

Officer [redacted] said he was the lead vehicle as he followed the suspects north on Elaine Avenue. The suspects turned west into a parking lot and he followed. He said he was stunned due to the earlier shooting and did not broadcast anything on the radio because he was focused on apprehending the suspects.

Officer [redacted] said he followed the suspects south through the parking lot and saw Detectives Faria and Contreras at the south driveway apron "waiting to pin in the suspect." Both detectives were outside of their cars. The suspects accelerated and drove between Faria's and Contreras' vehicles, and, as it did, both detectives fired at the suspects. [redacted] was unsure how many shots were fired. [redacted] slowed down because he did not want to get caught in a cross fire. The suspects accelerated as

they drove past the detectives and turned onto 214th Street. [redacted] followed the suspects and, subsequently, assisted in the arrest at the termination of the pursuit.

SWORN PERSONNEL STATEMENTS:

Deputy Christopher Allende, #[redacted], was interviewed by Homicide Investigators on March 8, 2012. A summary of the interview may be found on pages 32-33 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is accurate. Deputy Allende was not interviewed by Internal Affairs as part of this investigation.

On March 8, 2012, Deputy Allende was working a two person car with his partner, Deputy Daniel Machuca. They were finishing a contact in the area when they heard several gunshots to the west of them. They began to drive to where they believed the shots were coming from.

Deputy Allende drove north on Horst Avenue and, as they approached 214th Street, he heard additional gunshots. Allende saw a black vehicle travelling at a high rate of speed, approximately 50 mph, eastbound on 214th Street. The black vehicle turned southbound on Horst Avenue from 214th Street, without slowing for the turn, and crashed into the left rear passenger door of the patrol car. The driver suspect made eye contact with Allende as he negotiated the turn, but did not stop when he hit the patrol car.

Deputy Allende saw two undercover vehicles pursuing the black vehicle from 214th Street with their emergency lights activated. Allende was notified via radio by pursuing detectives that the vehicle being pursued had been involved in an assault on a peace officer. Allende turned his vehicle to follow the vehicles when he observed the Lexus had crashed on 216th Street and the occupants were being detained at gunpoint by detectives.

Deputy Daniel Machuca, Employee #[redacted] was interviewed by Homicide Investigators on March 8, 2012. A summary of their interview may be found on pages 34-35 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is accurate. Deputy Machuca was not interviewed by Internal Affairs as part of this investigation.

Deputy Machuca was the passenger in the patrol vehicle driven by Deputy Allende when he heard gunshots and, subsequently, hit by the suspects' vehicle. He saw the undercover cars, lights and sirens activated, drive past him on Horst Avenue following the suspect's car.

Deputy Machuca added he had not heard emergent traffic prior to seeing the speeding Lexus drive south on Horst Avenue. After being hit by the fleeing suspects, Machuca broadcast emergent traffic stating he and his partner had been purposely rammed by the suspects because they made no attempt to stop or slow down after the collision.

NON-DEPARTMENT WITNESS STATEMENTS:

DEA Special Agent [redacted], **#**[redacted] was interviewed by Homicide Investigators on March 8, 2012. A summary of the interview may be found on pages 3-5 of the Homicide Investigation Book, **Exhibit A.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is accurate.

Special Agent [redacted] stated he and other team members were involved in an ongoing investigation focusing on methamphetamine dealers. [redacted] said they were on surveillance and received information via his radio that a black vehicle was leaving the house they were focused on. The team had pre-assigned vehicles that were ready to begin a mobile surveillance of this vehicle as it drove away. [redacted] heard on his radio that the vehicle was occupied by two suspects. [redacted] recalled hearing that the suspects were traveling south on Pioneer Boulevard when a team member broadcast that the mobile surveillance had been compromised because the suspects were conducting counter surveillance by following one of the officers "dangerously close." The Lexus continued following these officers even when the officer's would make turns to get away from the suspects.

Special Agent [redacted] said the suspect's actions heightened his awareness and made him believe they were paying close attention to the surveillance officers. He described the Lexus as becoming "the aggressor."

Special Agent [redacted] stated he saw three surveillance vehicles and the Lexus stopped and lined up one behind the other on 215th Street. [redacted] saw one of the marked vehicles activate its red and blue forward facing lights and sound its siren. When the Lexus stopped, Officer [redacted] jumped out of his van and approached the Lexus with his weapon drawn. [redacted] passed the rear of his van, placing himself between the rear of his van and the front of the Lexus. [redacted] heard the suspects gun the engine and then lurch forward at [redacted]. [redacted] jumped out of the way, at which time he heard two to three gunshots. He was focused on the Lexus the entire time and did not know who had fired a weapon.

Special Agent [redacted] saw the Lexus drive around Officer [redacted] van and continue west on 215th Street. As it did so, the Lexus collided with his, [redacted] undercover vehicle causing minor damage. At this point, [redacted] drew his handgun and took cover behind his dashboard because he thought the other officers would be re-engaging the driver of the Lexus.

Special Agent [redacted] drove after the suspects but lost them. As he drove around the area looking for them, he saw a Sheriffs' radio car with two deputies in uniform at the intersection of 214th Street and Horst Avenue. The radio car had collision damage to its rear. [redacted] found the suspects driving on Horst Avenue towards 215th Street. As the suspects reached 215th Street, they attempted to make a left turn but collided into a truck which was parked at the corner. He exited his vehicle and saw Officer [redacted] detaining the driver at gunpoint. [redacted] then focused on the passenger and detained him at gunpoint. Both the driver and the passenger were ordered to lay prone on the street, at which point he saw the driver continuously reach for his waistband. After receiving commands from both [redacted] and he, the driver finally complied and assumed a prone position. Paramedics were called to the scene because both suspects had been shot.

Witness [redacted] was interviewed by Homicide Investigators. A summary of his interview may be found on pages 35-37 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of the interview is accurate.

Witness [redacted] told Homicide Investigators that he did not see a shooting, but heard gunshots while he was at a residence on 216th Street, east of Horst Avenue. He then heard a loud crash north of his location and immediately saw a black vehicle with front end damage driving south on Horst Avenue.

Witness [redacted] was interviewed by Homicide Investigators. A summary of his interview may be found on pages 38-40 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of the interview is accurate.

Witness [redacted] was with his co-workers, Witness [redacted] and Witness [redacted], when he heard three gunshots and sirens north of his location. He looked up and saw a black vehicle with gunshot damage negotiating a turn onto 216th Street from Horst Avenue. The vehicle collided into a parked truck and was immediately followed by a van and a black car. He observed the occupants of the last two cars exit their vehicles with their guns drawn. The sirens from the vehicles were on as they stopped directly behind the suspect vehicle. The officers were yelling at the occupants of the suspect vehicle to not move. Fearing there was going to be a gun battle, he ran east of the location and did not see the remainder of the incident.

Witness [redacted], was interviewed by Homicide Investigators. A summary of his interview may be found on pages 39-40 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of the interview is accurate.

Witness [redacted] was with his co-workers, Witness [redacted] and Witness [redacted] when he heard three gunshots. He then saw a black Lexus followed by two undercover cars driving south on Horst Avenue. He believed the cars behind the Lexus were police vehicles because they had their sirens and emergency lights activated. He was inside his truck at the time, but, fearing he may get caught in the middle of the incident, he got out and ran away without seeing anything else.

Witness [redacted] was interviewed by Homicide Investigators. A summary of his interview may be found on pages 40-41 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of the interview is accurate.

Witness [redacted] was driving on 215th Street when he saw two vans pinning a black vehicle in the street. [redacted] noticed that the vans had red and blue lights activated in their dash board and that one of the officers was wearing a police badge on his belt. [redacted] panicked and continued driving west where he saw what he believed to be an undercover police officer who was wearing a blue shirt and jeans with his gun drawn. The officer was pointing his gun at a black car. [redacted] heard three shots but did not see who had shot. Within minutes of the vehicles leaving this location, he heard sirens.

Witness [redacted] was interviewed by Lakewood patrol Deputy R. Banskton. A summary of the interview may be found on page 67 of the Homicide Investigation Book, **Exhibit A**.

Witness [redacted] was inside her classroom located on the northwest corner of 215th Street and Elaine Avenue when she observed some activity on 215th Street. She walked out toward 215th Street and saw three vehicles facing west and two facing east. She saw a heavy set male Hispanic, wearing a white t-shirt and shorts, exit one of the west facing vehicles. The male was yelling at the vehicles and had his gun pointed in a "west like diagonal direction." The male fired his gun numerous times at the cars facing east. Fearing for her and her students' lives, Witness [redacted] ran back inside the classroom and locked the door.

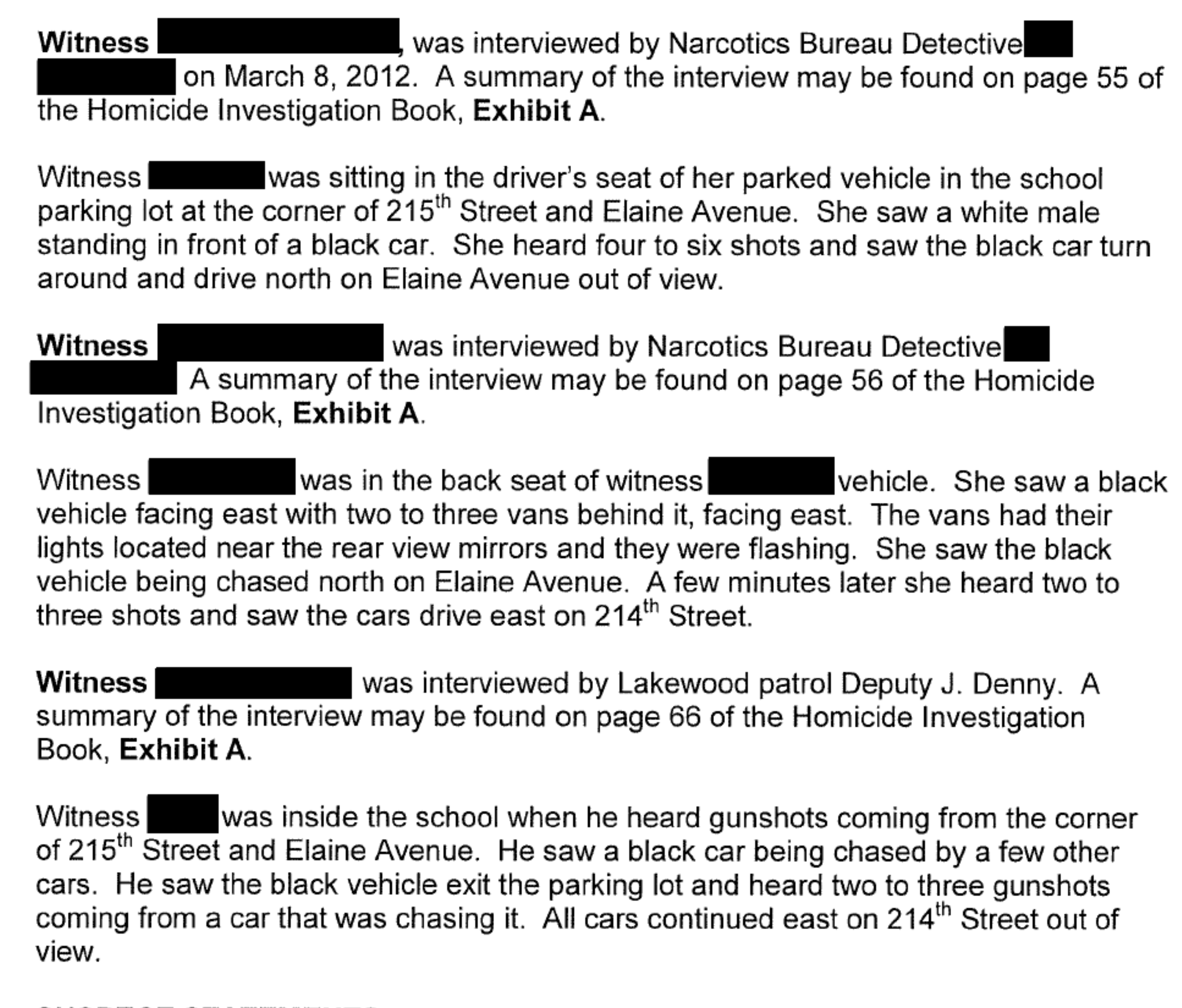
> **IAB Note: The investigation revealed that Officer [redacted] who is a slim, fair skinned American, was the only person who shot at the suspects on 215th Street.**

Witness [redacted] was interviewed by Lakewood patrol Deputy R. Banskton. A summary of the interview may be found on page 67 of the Homicide Investigation Book, **Exhibit A**.

Witness [redacted] heard some activity on 215th Street and exited her classroom. She saw three males in an early model Honda traveling west on 215th Street at a high rate

of speed, and a male Hispanic running west on 215th street. The male Hispanic entered an unknown vehicle which quickly fled the scene west on 215th Street.

> **IAB Note: The only vehicle occupied by more than one person was the Lexus which was occupied by the two suspects.**



Witness [redacted], was interviewed by Narcotics Bureau Detective [redacted] on March 8, 2012. A summary of the interview may be found on page 55 of the Homicide Investigation Book, **Exhibit A**.

Witness [redacted] was sitting in the driver's seat of her parked vehicle in the school parking lot at the corner of 215th Street and Elaine Avenue. She saw a white male standing in front of a black car. She heard four to six shots and saw the black car turn around and drive north on Elaine Avenue out of view.

Witness [redacted] was interviewed by Narcotics Bureau Detective [redacted] A summary of the interview may be found on page 56 of the Homicide Investigation Book, **Exhibit A**.

Witness [redacted] was in the back seat of witness [redacted] vehicle. She saw a black vehicle facing east with two to three vans behind it, facing east. The vans had their lights located near the rear view mirrors and they were flashing. She saw the black vehicle being chased north on Elaine Avenue. A few minutes later she heard two to three shots and saw the cars drive east on 214th Street.

Witness [redacted] was interviewed by Lakewood patrol Deputy J. Denny. A summary of the interview may be found on page 66 of the Homicide Investigation Book, **Exhibit A**.

Witness [redacted] was inside the school when he heard gunshots coming from the corner of 215th Street and Elaine Avenue. He saw a black car being chased by a few other cars. He saw the black vehicle exit the parking lot and heard two to three gunshots coming from a car that was chasing it. All cars continued east on 214th Street out of view.

<u>SUSPECT STATEMENTS</u>:

Suspect Jose Ortiz invoked his constitutional rights and refused to speak with Homicide detectives. A summary of their attempted interview may be found on pages 44-45 of the Homicide Investigation Book, **Exhibit A.**

Suspect Armando Flores Corado, was interviewed by Homicide Investigators on March 8, 2012. A summary of their interview may be found on pages 45-47 of the Homicide Investigation Book, **Exhibit A**. Internal Affairs investigators reviewed the

tape recording of the interview and found that Homicide's summary of the interview is an accurate account of what was said.

Suspect Corado said he and his "play cousin", Suspect Ortiz, had left Suspect Ortiz' residence in Hawaiian Gardens to go to Suspect Corado's home. He saw a silver van following them and heard Ortiz say he was going to tailgate the van. They followed the van for five to 10 minutes before the van stopped with them stopped directly behind it. Suspect Corado said there was enough room to get around the van and they did not know who was in the van. Suspect Corado thought Suspect Ortiz was having a "road rage fit" when they started following and tailgating the van.

After the van stopped, a white male, with short hair, got out and approached them on the driver's side. The male had a gun in his hand and pointed it at them. Corado said the white male was saying something but he could not hear because the windows were rolled up. As the white male approached the Lexus, he started shooting hitting Corado in the left torso area. Corado heard more than one shot prior to Ortiz driving around the van. As Ortiz drove around the van, Ortiz said "watch out" or "duck." The white male shot before they moved to go around the van. Corado said as they drove away, he noticed "the cop" had a badge on his belt, but he did not see the badge prior to the shooting.

Suspect Corado said Suspect Ortiz accelerated away from the vehicles. Suspect Corado looked up two to three minutes later as they crashed into the back of a pick-up truck that was parked on 216th Street. Corado said he had no idea why the police contacted them.

<u>CRIMINAL CHARGES FILED</u>:

Suspect Jose Ortiz:

Six counts of Assault upon a peace officer, 245 (C) P.C.
Conspiracy to commit a crime,182(a) (1) P.C.
Transportation of a controlled substance,11379 (a) H.S.
Possession for sale of a controlled substance, 11378 H.S.
Possession of a controlled substance with a firearm,11370.1 H.S.
Possession of an assault weapon, 30605(a) P.C.

Suspect Armando Corado:

Six counts of Assault upon a peace officer, 245 (C) P.C.
Conspiracy to commit a crime,182(a) (1) P.C.
Transportation of a controlled substance,11379 (a) H.S.
Possession for sale of a controlled substance, 11378 H.S.
Possession of a controlled substance with a firearm,11370.1 H.S.

IAB Note: On June 5, 2013, each defendant was found guilty on all counts.

PROPERTY DAMAGE:

James Carroll of the Scientific Services Bureau located five bullet holes on the black Lexus (CA [redacted]) driven by the suspects. Carroll also noted extensive front end damage, a broken windshield, and broken driver's side window. The bullet holes were photographed and documented in the Homicide book (pages 74-75), **Exhibit A.**

Lakewood patrol vehicle (SH0628) driver's side rear door and panel damage caused by the suspect vehicle as it drove south on Horst Avenue from 214th Street.

Rear bumper damage and front end damage to a Ford F150 pick-up truck (CA [redacted]) caused by the suspects' Lexus when it collided into the truck at the termination of the pursuit.

Rear bumper damage to vehicle (CA [redacted]) caused by the Ford F150 truck being pushed into the car by the colliding Lexus.